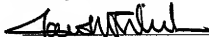


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I hereby certify that this correspondence is being electronically filed with the U.S. Patent and Trademark Office, addressed to: Mail Stop Appeal Brief – Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 29, 2009.



Jacob N. Erlich

Reg. No. 24,338

**UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS AND INTERFERENCES**

Appellants: Irving W. DeVoe
Application Serial No.: 10/626,209
Filed: July 24, 2003

Confirm. No.: 9677
Group Art Unit: 1797
Examiner: Krishnan S. Menon

Title: SYSTEM AND METHOD FOR CONVERTING KINETIC ENERGY OF GASES OR LIQUIDS TO USEFUL ENERGY, FORCE AND WORK

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TO: Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

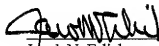
RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Sir:

In Response to the Notice of Non-Compliant Appeal Brief dated September 10, 2009 (the "Notice"), please replace the original STATUS OF CLAIMS section of the Appeal Brief filed on August 14, 2009 with the attached STATUS OF CLAIMS section, as per 37 CFR 41.37(c)(1)(iii). As required by the Notice, the new STATUS OF CLAIMS section includes the status of canceled and/or withdrawn claims. In the original Appeal Brief filed on August 14, 2009, Appellant inadvertently failed to list the status of the canceled claims.

Respectfully submitted,
Irving W. deVoe, Appellant

Dated: September 29, 2009

By: 

Jacob N. Erlich

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Attorney for Appellant